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14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 SIERRA CLUB and SOUTHERN BORDER  
COMMUNITIES COALITION,

18 *Plaintiffs,*

19 v.

20 DONALD J. TRUMP, President of the United  
21 States, in his official capacity; MARK T. ESPER,  
22 Secretary of Defense, in his official capacity;  
23 CHAD F. WOLF, Acting Secretary of Homeland  
Security, in his official capacity; and STEVEN  
MNUCHIN, Secretary of the Treasury, in his  
24 official capacity,

25 *Defendants.*

Case No.: 4:19-cv-892-HSG

**ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES  
SHOULD BE RELATED**

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1 Pursuant to Civil L.R. 3-12, Plaintiffs Sierra Club and Southern Border Communities  
2 Coalition respectfully provide the Court with notice of the following related case in the Northern  
3 District of California: *Sierra Club, et al. v. Donald Trump, et al.*, No. 4:20-cv-01494 (filed Feb. 28,  
4 2020) and request that the Court consider whether the two cases should be related. Plaintiffs filed  
5 the new action in accordance with the Court's direction on February 20, 2020, that "to the extent  
6 they want to bring additional claims or allege additional facts in light of Defendants notice  
7 regarding authorization of additional border barrier projects they may e-file new complaints that the  
8 Court will relate to these actions." Minute Entry, ECF No. 275.

9 "An action is related to another when: (1) The actions concern substantially the same  
10 parties, property, transaction, or event; and (2) it appears likely that there will be an unduly  
11 burdensome duplication of labor and expense or conflicting results if the cases are conducted before  
12 different Judges." N.D. Cal. Civ. L.R. 3-12(a). Under this standard, the cases are related, as the new  
13 action represents a challenge by the same plaintiffs against the same defendants with respect to a  
14 continuation of the same event: Defendants' ongoing efforts to divert funds appropriated for other  
15 purposes to the construction of a wall at the U.S.-Mexico border. In addition, because the  
16 Defendants are acting in purported reliance on the same statutory authorities addressed in the  
17 related case, the cases involve substantially overlapping legal issues and litigation before different  
18 Judges would likely lead to both burdensome duplication of labor and a danger of conflicting  
19 results.

20 Defendants consent to this motion.  
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1 Dated: February 28, 2020

Respectfully submitted,

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